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Counsel for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL No. 3084 CRB

**DECLARATION OF TRACEY B.
COWAN IN SUPPORT OF
MOTION TO WITHDRAW AS
COUNSEL OF RECORD**

This Document Relates to:

CLF J.T. v. Uber Technologies, Inc., et al.
Case No. 25-cv-1043-CRB

Date: June 6, 2025
Time: 10:00 a.m.
Courtroom 6

I, Tracey B. Cowan, declare as follows:

1. I am a partner of Clarkson Law Firm, P.C. and am licensed to practice before all state and federal courts in the State of California. I am the attorney of record for the Plaintiff. I am over the age of eighteen and have personal knowledge of the facts set forth herein, and, if called as a witness, I could and would testify competently as to such facts.

2. Plaintiff J.T. signed a retainer agreement with my firm on October 24, 2024. A

1 material term of that contract was that Plaintiff maintain updated contact information at all times.
2 The contract specified that my firm would have grounds to withdraw as counsel if this contractual
3 obligation was not upheld.

4 3. Despite this agreement, for over two months, my team has been unable to contact
5 Plaintiff J.T. despite repeated attempts to reach her. We have tried numerous times to reach
6 Plaintiff at the phone number she provided, unsuccessfully. We have also sent multiple letters to
7 Plaintiff's physical addresses, which have gone unanswered. She has also not responded to any
8 of the emails we have sent to the address she provided in the past few months.

9 4. We filed this action on January 31, 2025, at our client's behest.

10 5. Per Pretrial Order ("PTO") 10, Plaintiff J.T.'s Plaintiff Fact Sheet ("PFS") was
11 due within 30 days of January 31, 2025. My team made several attempts following the filing of
12 Plaintiff J.T.'s case to gather the necessary information to comply with the requirements of PTO
13 10. My team was never able to reach Plaintiff J.T., nor did she make any independent attempts to
14 contact my team.

15 6. Unable to reach Plaintiff J.T. by phone, text message, or email for several weeks,
16 my team requested to extend the deadline for Plaintiff J.T.'s PFS multiple times. Counsel for
17 Defendants granted such requests but offered a final two-week extension for Plaintiff J.T.'s PFS
18 on March 24, 2025, giving her until April 7, 2025 to comply with PTO 10.

19 7. On March 18, 2025, having been unable to reach Plaintiff J.T. via phone and email,
20 my office mailed a letter, through certified mail, to the physical address Plaintiff had previously
21 provided, in Pueblo, Colorado. Though the letter was delivered successfully to Plaintiff J.T.'s
22 address, the letter went unanswered. The letter clearly stated that if my firm was unable to
23 communicate with Plaintiff J.T., according to the terms of her representation agreement, we
24 would no longer be able to represent her in this litigation.

25 8. On April 2, 2025, my office hired Nationwide Service of Process to personally
26 serve another letter to Plaintiff J.T.'s physical address in Pueblo, Colorado. On April 3, 2025, the
27 process service attempted service at Plaintiff J.T.'s address. Plaintiff J.T. was not home, but her
28 aunt was. Plaintiff J.T.'s aunt explained that Plaintiff was "in jail or prison" and that she had no

1 contact with her. The process server located Plaintiff J.T. on the Department of Corrections
2 website, and it showed she may have been in the El Paso County Jail Backlog.

3 9. Plaintiff J.T.'s incarceration, which began at some point after she signed a retainer
4 agreement with my firm, has proven to completely inhibit our ability to communicate with
5 Plaintiff J.T. Plaintiff has not attempted to contact my office since she has been incarcerated.

6 10. Plaintiff J.T.'s inability or refusal to communicate has prevented us from
7 collecting information required by court-ordered deadlines and puts us at risk of being unable to
8 produce documents in accordance with future deadlines. As referenced above, we were unable to
9 speak with Plaintiff and gain additional information regarding her claims prior to the court-
10 mandated deadline to submit her Plaintiff Fact Sheet, pursuant to PTO 10, by April 7, 2025—a
11 deadline that had already been extended multiple times to allow my team additional time to reach
12 Plaintiff J.T. The PFS requires information my team does not currently have and further requires
13 Plaintiff provide responses in her own words. We thus cannot complete and submit Plaintiff's
14 PFS without communicating with Plaintiff. We informed Plaintiff, via email and in the multiple
15 hard-copy letters mentioned above, of the importance of responding, specifically because of the
16 relevant court-mandated deadlines.

17 11. J.T. has lost all contact with her attorneys, and we have no way to contact her.
18 Without her cooperation and willingness to communicate with her counsel, it is impossible for
19 me or my firm to effectively represent her.

20 I declare, under penalty of perjury, that the foregoing is true and correct to the best of my
21 knowledge, that if called as a witness, I could competently testify thereto, and that this declaration
22 is executed in San Rafael, California on April 18, 2025.

23 s/ Tracey Cowan
24 Tracey Cowan
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CERTIFICATE OF SERVICE

I, Tracey Cowan, hereby certify that I caused to be served on the attached Notice of Motion and Motion to Withdraw as Counsel, and Supporting Memorandum and Declaration of Tracey Cowan in Support of Motion to Withdraw on April 18, 2025 by first class U.S. Mail, addressed to: J.T., at the last recorded address on file.

Executed in San Rafael, California on April 18, 2025

s/Tracey Cowan
Tracey Cowan